

REMARKS

Reconsideration of the above-identified patent application as amended herein is respectfully requested. Claims 1, 3-6 are amended herein and claims 2 and 7 are cancelled. Of the claims, only claim 1 is independent.

In the Office Action of September 29, 2003, the Examiner objected to the drawings for failure to show every feature of the invention specified in the claims. Specifically, the drawings failed to show the features claims in claim 7. In addition, claim 7 was rejected under 35 U.S.C. 112, first paragraph, for failure to comply with the enablement requirement. Since claim 7 is cancelled by this Amendment, the objection to the drawings and the rejection of claim 7 under 37 C.F.R. 112, first paragraph, are now moot.

In addition, the Examiner objected to claims 1, 4, and 7 because of informalities. Applicant wishes to thank the Examiner for his helpful suggestions for amending the claims. Applicants have amended claims 1 and 4 and cancelled claim 7. The claims are now believed to overcome the objection stated in the Office Action.

In the Office Action, the Examiner rejected claims 1 and 5 under 35 U.S.C. 102(b) as being anticipated by Buse (US Patent 4,050,862, hereinafter US '862). Applicant respectfully traverses this rejection. For the reasons set forth below it is believed that claims 1 and 5 are not anticipated by the prior art of record.

The presently claimed invention is directed to a device for pumping high volumes of a liquid characterized by at least two pumps (4, 5, and 6) located in two different planes and coupled to a single drive (3).

This is claimed by amended claim 1 as follows:

“A device for pumping high delivery volumes of a liquid, ...**at least two pumps** respectively forming a single structural unit...and coupled to a single drive wherein **at least one of the at least two pumps is positioned in a plane spaced vertically apart from the plane in which the respective other pumps are located**, wherein **each plane has allocated to it a power divider** via which the pumps assigned to this plane are coupled with each other on the drive side, and wherein **the at least two pumps** are coupled with the drive in such a way that each of them executes a pump stroke relative to the respective other pumps shifted by a specific, fixed time interval.”

US ‘862 discloses a multi-plunger reciprocating **pump** comprising a crankshaft and a **plurality of cylinders (12, 14, and 16)**, disposed above and below the centerline of the crankshaft and pistons moving within the cylinders and connected to the crankshaft. Thus, US ‘862 discloses **one pump** and does not disclose power dividers to distribute the driving power to the different planes. Accordingly, US ‘862 clearly fails to meet the conditions of an anticipatory reference because it does not describe **each and every element** of the presently claimed invention. In view of the foregoing, reconsideration and withdrawal of the rejection of claims 1 and 5 under 35 U.S.C. 102(b) is respectfully requested.

In addition, the Examiner rejected claim 6 under 35 U.S.C. 103(a) as being unpatentable over US ‘862. However, US ‘862 discloses only one pump. Thus, it does not suggest a modification to arrive at the presently claimed invention, it does not teach all the limitations claimed in the presently claimed invention, nor it provides any reasonable expectation of success



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in arriving at the presently claimed invention. Thus, amended claim 6 is not rendered obvious by US '862 and the withdrawal of rejections under 35 U.S.C. 103(a) is respectfully requested.

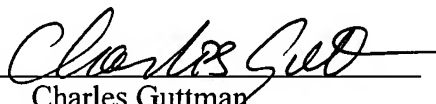
Applicant gratefully acknowledges the Examiner's indication that claims 2-4, contain allowable subject matter, and would be allowable if rewritten in independent form. However, in view of the foregoing, it is believed that the present application is now in condition for allowance and a favorable action on the merits is respectfully requested.

The Commissioner is authorized to deduct any fees resulting from this Amendment from deposit account number 16-2500 of the undersigned.

The undersigned attorney requests that the Examiner contact him at the telephone number indicated below if it would help expedite prosecution of this application.

Respectfully submitted,

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Enclosure: Petition for a three month extension of time